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6 Attorneys for Defendant

VOLVO TRUCKS NORTH AMERICA, INC.

8 **UNITED STATES DISTRICT COURT**

9 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

11 RAYMOND P. MARIOLLE,

12 Plaintiff,

13 vs.

14 VOLVO GROUP NORTH AMERICA, INC.;
15 CONSOLIDATED METCO, INC.; AMSTED
INDUSTRIES, INC.; LABRIE
16 ENVIRONMENTAL GROUP; WITTKE
WASTE EQUIPMENT; FEDERAL SIGNAL
17 CORPORATION; AND DOES 1 through 25,
inclusive, ,

18 Defendant.

CASE NO. 3:09-cv-1209 MMC

3:09-cv-4250 MMC

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE ALL
DEADLINES REGARDING DEFENDANT
VOLVO TRUCKS NORTH AMERICA,
INC.'S *EX PARTE* MOTION FOR STAY
OF ENFORCEMENT OF JUDGMENT**

22 **IT IS HEREBY STIPULATED AND AGREED**, based upon the pending settlement of

23 all matters before this Court and on Appeal between plaintiffs RAYMOND MARIOLLE and
24 REGINA MARIOLLE ("Plaintiffs") and defendant VOLVO TRUCKS NORTH AMERICA, INC.
25 ("VTNA"), that with the Court's permission, all deadlines related to VTNA's *Ex Parte* Motion for
26 Stay of Enforcement of the Judgment be continued for 45 days. This stipulation is made on the
27 grounds that Plaintiffs and VTNA expect to have their settlement finalized within the next 45

28 4816-6736-3345.1

3:09-cv-1209 MMC

**STIPULATION AND [PROPOSED] ORDER TO CONTINUE ALL DEADLINES RE: DEFENDANT'S *EX*
PARTE MOTION FOR STAY OF ENFORCEMENT OF JUDGMENT**

1 days, which will make the current *ex parte* motion before the Court moot.

2 IT IS SO STIPULATED.

3 DATED: October 30, 2012

BOXER & GERSON LLP

5 By: /s/ Gary B. Roth

6 Gary B. Roth

Attorneys for Plaintiffs

7 RAYMOND MARIOLLE and REGINA
8 MARIOLLE

9 DATED: October 30, 2012

10 LEWIS BRISBOIS BISGAARD & SMITH LLP

12 By: /s/ Anthony E. Sonnett

13 Anthony E. Sonnett

Trevor J. Ingold

Attorneys for Defendant

14 VOLVO TRUCKS NORTH AMERICA, INC.

16 **[PROPOSED] ORDER**

18 IT IS SO ORDERED.

20 DATED: _____

Judge of the Superior Court

FEDERAL COURT PROOF OF SERVICE

Raymond Mariolle v. Volvo Group North America, Inc., et al. - File No. 5.802

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to the action. My business address is 221 North Figueroa Street, Suite 1200, Los Angeles, CA 90012. I am employed in the office of a member of the bar of this Court at whose direction the service was made.

On October 30, 2012, I served the following document(s):

STIPULATION AND [PROPOSED] ORDER TO CONTINUE ALL DEADLINES REGARDING DEFENDANT VOLVO TRUCKS NORTH AMERICA, INC.'S EX PARTE MOTION FOR STAY OF ENFORCEMENT OF JUDGMENT

I served the documents on the following persons at the following addresses (including fax numbers and e-mail addresses, if applicable):

SEE ATTACHED SERVICE LIST

The documents were served by the following means:

☒ (BY COURT'S CM/ECF SYSTEM) Pursuant to Local Rule, I electronically filed the documents with the Clerk of the Court using the CM/ECF system, which sent notification of that filing to the persons listed above.

I declare under penalty of perjury under the laws of the State of CALIFORNIA that the foregoing is true and correct.

Executed on October 30, 2012, at Los Angeles, California.

/s/ Brenna Phillips

Brenna Phillips

SERVICE LIST
Raymond v. Volvo Trucks
Case No.: C09-01209 MMC

1 2 3 4 5 6 7	John M. Anton, Esq. Gary B. Roth, Esq. groth@boxerlaw.com BOXER & GERSON, LLP 300 Frank H. Ogawa Plaza Rotunda Building, Suite 500 Oakland, CA 94612 Telephone: (510) 835-8870 Facsimile: (510) 835-0415	Attorneys for Plaintiff Raymond Mariolle
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12 13 14 15	Peder K. Batalden, Esq. John F. Querio, Esq. HORVITZ & LEVY, LLP 15760 Ventura Blvd., 18 th Floor Encino, CA 91436-3000 Telephone: (818) 995-0800	Appellate Attorneys for Defendants Amsted Industries Incorporated & Consolidated Metco, Inc.
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